Remarks

Applicants respectfully request reconsideration of the application in view of the foregoing amendments and following remarks. Claims 1, 3-18 and 20-27 are rejected.

Claims 1, 9, 11-13, 16, 20-22 and 27 have been canceled. Claims 28-37 have been added. Claims 3-8, 10, 14, 15, 17, 18, 23-26 and 28-37 are now pending in the application.

Canceled claims are canceled without disclaimer or prejudice to renewal. The rejections are traversed to preserve future prosecution rights. Various amendments herein are made for editorial purposes and not in response to the art.

Claim Amendments

Applicants have amended claim 23 to recite in part:

> a first application identifier for a software application, wherein generating the first application identifier comprises generating a hash value with a hashing algorithm applied to distinct application data comprising a combination of at least the graphical icon data of the software application and the name of the executable file for the software application;
> sending a query for a globally unique identifier for the software application to the database, the query comprising the first application identifier;
> receiving a response to the query from the database, wherein the response comprises the globally unique identifier for the software application, and wherein the globally unique identifier differs from the first identifier; and
> displaying information from the response in a graphical user interface.

Exemplary support for "wherein the response comprises the globally unique identifier for the software application, and wherein the globally unique identifier differs from the first identifier" can be found at pages 13-14 of the original specification ("The gaming activity center can make a request for additional metadata using a specialized globally unique identifier ("GUID") (e.g., a Windows Metadata & Internet Services ID ("WMID")) for referencing an application when communicating with the Games Metadata Service.... At 836, if the fingerprint is recognized, the service will return the WMID ....").

Claim 10 has been amended to recite "the globally unique identifier indicates that metadata relating to the software application can be obtained from a metadata service.." Exemplary support can be found at pages 13-14 of the original specification.

Claim 15 has been amended to recite "storing a relation between the first application identifier and the globally unique identifier in a data file." Exemplary support can be found at

page 14 of the original specification ("A backend can store the relation between the selected title/WMID and the fingerprint initially sent by the client.").

Claims 3-7, 10, 14, 15, 17 and 18 also have been amended to depend from amended claim 23, and for editorial reasons relating to their dependence from amended claim 23.

Accordingly, no new matter is added thereby.

Cited Art

The Action cites:

Meyer et al., U.S. Patent Publication No. 2001/0031066 ("Meyer");

Fredlund et al., U.S. Patent No. 6,111,950 ("Fredlund"); and

Both, U.S. Patent No. 7,412,449 ("Both").

Claim Rejections under 35 U.S.C. § 103

Claims 1, 6-18 and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Meyer in view of Fredlund and Both. Claims 3-5 and 20-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Meyer in view of Fredlund, Both and Official Notice. Applicants respectfully disagree, but have amended some claims and canceled some claims to expedite prosecution.

Almost all of the original independent claims have been canceled. The sole remaining rejected independent claim is claim 23. All rejected dependent claims that are now pending in the application have been amended to depend from claim 23.

Claim 23

As amended, claim 23 recites in part:

> generating a first application identifier for a software application, wherein generating the first application identifier comprises generating a hash value with a hashing algorithm applied to distinct application data comprising a combination of at least the graphical icon data of the software application and the name of the executable file for the software application;
> sending a query for a globally unique identifier for the software application to the database, the query comprising the first application identifier;

receiving a response to the query from the database, wherein the response
comprises the globally unique identifier for the software application, and wherein
the globally unique identifier differs from the first identifier; and
displaying information from the response in a graphical user interface.

(Emphasis added.) The above-cited language of claim 23 is not taught or suggested by Meyer,
Fredlund, and Both, alone or in combination.

**Meyer's description of "identifiers" fails to teach or suggest "globally unique
identifier for the software application."** Meyer mentions "identifiers," but the identifiers
mentioned in Meyer are for identifying media objects, not software applications. Furthermore,
although Meyer mentions a "fingerprinting process" that can generate an "identifier" for media
objects such as audio objects and still images (*see* Meyer at paragraph 0048), Meyer does not
teach or suggest, for example, "generating a first application identifier for a software
application," "sending a query for a globally unique identifier for the software application to the
database, the query comprising the first application identifier" and "receiving a response to the
query from the database, <u>wherein the response comprises the globally unique identifier for the
software application, and wherein the globally unique identifier differs from the first identifier</u>,"
as recited in claim 23.

**Meyer does not suggest any reason why a globally unique identifier "for the
software application," would be necessary or even desirable.** In contrast, embodiments in the
Application describe at pages 13-14, "The gaming activity center can make a request for
additional metadata using a specialized globally unique identifier ("GUID") (e.g., a Windows
Metadata & Internet Services ID ("WMID")) for referencing an application when
communicating with the Games Metadata Service. After the identification of the game has been
established, all further metadata requests can be executed using this GUID."

The deficiencies of Meyer are not cured by Fredlund. Fredlund at col. 2, lines 47-52
describes "a unique identifier or signature that identifies that a particular image is one that can be
processed by the application. This signature can be created from the image and stored as a
constant in the application or can be an arrangement of bits embedded within the image data that
are set to specific values." However, Fredlund does not teach or suggest, for example,
"obtaining a first application identifier for a software application," "sending a query to the
database, the query comprising the first application identifier" and "receiving a response to the
query from the database, <u>wherein the response comprises a globally unique identifier for the</u>

software application, and wherein the globally unique identifier differs from the first identifier," as recited in claim 23.

The deficiencies of Meyer and Fredlund are not cured by Both. Both describes hashing a name of a document for use in locating and retrieving the document from a document subdirectory of a file system. *See* Both at Abstract. However, Both does not teach or suggest, for example, "obtaining a first application identifier for a software application," "sending a query to the database, the query comprising the first application identifier" and "receiving a response to the query from the database, wherein the response comprises a globally unique identifier for the software application, and wherein the globally unique identifier differs from the first identifier," as recited in claim 23.

Thus, each of the cited references lack at least the recited features of claim 23. Applicants also do not find where any of the cited references would modify or be combined with the other references to result in the claimed arrangement. Accordingly, claim 23 and its dependent claims, 3-8, 10, 14, 15, 17, 18 and 24-26, are patentable over the cited references, alone or in combination.

New Claims

Applicants have added new claims 28-37. The new claims are allowable for at least the reasons given above for claim 23. For example, new claim 28, from which new claims 29-36 depend, recites in part:

> calculating a first value for the application based at least in part on the icon data, wherein calculating the first value comprises applying a hashing algorithm to at least the icon data, and wherein the first value is a hash value;
> sending the first value in a database query to a database;
> in response to the database query, receiving one or more responses from the database;
> obtaining from the one or more responses a globally unique identifier for the application, wherein the globally unique identifier differs from the first value;
> sending the globally unique identifier in a metadata request; and
> in response to the metadata request, receiving metadata associated with the application.

(Emphasis added.)

Exemplary support for claims 28 can be found in the original claims and in the original specification at pages 13-14 ("The gaming activity center can make a request for additional metadata using a specialized globally unique identifier ("GUID") (e.g., a Windows Metadata & Internet Services ID ("WMID")) for referencing an application when communicating with the Games Metadata Service.... At 836, if the fingerprint is recognized, the service will return the WMID ....").

New dependent claim 29 recites in part, "the globally unique identifier is sent in the metadata request sent to a games metadata service, and wherein the metadata is received from the games metadata service." Exemplary support for claim 29 can be found in the original specification at page 13 ("The gaming activity center can make a request for additional metadata using a specialized globally unique identifier ("GUID") (e.g., a Windows Metadata & Internet Services ID ("WMID")) for referencing an application when communicating with the Games Metadata Service. After the identification of the game has been established, all further metadata requests can be executed using this GUID.")

New dependent claim 30 recites in part, "obtaining the application data comprises selecting one or more graphical icons from a set of plural graphical icons having different sizes and resolutions." Exemplary support for claim 30 can be found in the original specification at pages 9-10 ("For example, if an application binary contains 12 different icons of different sizes or resolutions, some subset of the icons (e.g., icons that are distinctive and unlikely to change in revisions to the application) can be used to form the block of data.").

New dependent claim 31 recites in part, "the hashing algorithm is a one-way hashing algorithm." Exemplary support for claim 31 can be found in original claim 3.

New dependent claim 32 recites in part, "at least one of the one or more responses indicates that a match for the first value was found in the database." New dependent claim 35 recites in part, "obtaining from the one or more responses metadata relating to the software application." Exemplary support for claims 32 and 35 can be found in the original specification at page 14 ("At 818, a determination is made as to whether any matches are found. If matches are not found, the user has the option, at 820, to choose to perform a manual search (822). If matches are found, the games metadata service returns games metadata at 824 and displays results at 826.")

New dependent claim 33 recites in part, "the application data further comprises a file name of an application executable, and wherein calculating the first value is further based on the file name of the application executable." Exemplary support for claim 33 can be found in the original specification at page 4 ("For example, a unique fixed-length string can be created by applying a one-way hashing algorithm to graphical icon data and the name of the application executable.")

New dependent claim 34 recites in part, "sending a shortcut link to the database; wherein the one or more responses comprise a list of possible matches for the shortcut link in the database." Exemplary support for claim 34 can be found in the original specification at page 14 ("If the fingerprint is not recognized and a shortcut link was provided by the gaming activity center (840), the service takes the shortcut link name and attempts a fuzzy text match against titles in the database. At 842, if any possible titles are found, a list of possible matches is sent to the client and displayed to the user at 844 ....").

New dependent claim 36 recites in part, "after receiving the one or more responses, displaying a visual indicator of the software application along with visual indicators of other software applications in a graphical user interface." Exemplary support for claim 36 can be found in the original specification at page 13 and Figure 7. ("The game library window 710 includes a listing of games.").

Claim 37 mimics the language of claim 23, but also includes other language. For example, claim 37 includes language about "a subset of the graphical icon data." Exemplary support is found at page 9, lines 24 *et seq.* Claim 37 also includes the following language:

> sending a metadata request to a metadata service, the query comprising the globally unique identifier;
> receiving metadata for the software application in response to the metadata request; and
> displaying information from the response to the query from the database along with the metadata received in response to the metadata request in a window of a graphical user interface along with information for one or more other software applications of the particular application type;
> wherein the application type is game, and wherein the metadata service is a games metadata service.

Exemplary support for this language can be found in the original specification at pages 13-15. The language about "whether the software application is of a particular application type" was in claim 11 and finds exemplary support at page 3, line 8 of the Application.

Accordingly, no new matter is added in the new claims.

Dependent Claims

In the interest of brevity, Applicant does not argue the language of all individual dependent claims, other than to point out that each recites a patentably distinct, novel, and non-obvious combination that stands on its own merits in addition to the reasons given for the independent claims.

Claim Interpretation

Applicants acknowledge the Examiner's statements on interpretation of certain language in the claims, including: language the Examiner regards as statements of intended use, language in the preamble, phrases that include the word "for," and phrases such as "capability to," "associated" and "information about." The Examiner alleges, for example, that some language in the claims should be given no patentable weight, and that other language in the claims should be given a "broadest reasonable interpretation."

In the interest of brevity and in view of the foregoing amendments, some claim language interpreted by the Examiner is not addressed in these Remarks. For example, some language interpreted by the Examiner is not addressed because it has been deleted or amended for editorial reasons. Any lack of a direct response to claim interpretations made by the Examiner should not be considered to indicate a waiver or stipulation as to the Examiner's claim interpretations.

Official Notice

With regard to claim 22 (now canceled), Applicant notes that the Action appears to take Official Notice that "'gaming-related software applications' are old and well known in the art" at page 15. Applicant does not dispute that gaming-related software *per se* is well-known. However, to the extent that the Action asserts that any *combination* related to games or gaming-related software was well-known (such as a combination with the elements of claim 20, from which claim 22 formerly depended), Applicants traverse and respectfully demand proof.

With regard to claim 1 (now canceled), the Action states "it is old and well known in the art that graphical icon data . . . are stored just as any other graphical data." Applicants respectfully disagree and demand proof. For example, icon data may be stored in an icon file.

With regard to claim 3, Applicants note that the Action takes as admitted prior art "that one-way hashing algorithms are old and well known in the art" at page 12. To the extent that the Action asserts that any *combination* involving language of claim 3 (such as a combination with the elements of claim 1, from which claim 3 formerly depended) was well-known, Applicants traverse and respectfully demand proof.

With regard to claim 4, Applicants note that the Action takes as admitted prior art "that generated a 20-byte hash values are old and well known in the art" at page 13. To the extent that the Action asserts that any *combination* involving language of claim 4 (such as a combination with the elements of claim 1, from which claim 4 formerly depended) was well-known, Applicants traverse and respectfully demand proof.

With regard to claim 5, Applicants note that the Action takes as admitted prior art "that obtaining graphical data from an application binary is old and well known in the art" at page 14. To the extent that the Action asserts that any *combination* involving language of claim 5 (such as a combination with the elements of claim 1, from which claim 5 formerly depended) was well-known, Applicants traverse and respectfully demand proof.

Interview Request

If any issues remain, the Examiner is requested to contact the undersigned attorney by telephone for resolution.
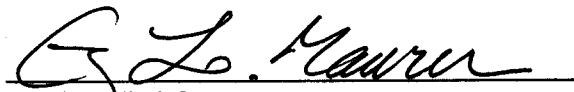
Conclusion

The claims stand ready for allowance. Such action is respectfully requested.

Respectfully submitted,

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